



042104

16310 U.S. PTO

Practitioner's Docket No. 44455

PATENT

Preliminary Classification:

Proposed Class:

Subclass:

22387 U.S. PTO
10/829090

042104

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Patent Application
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor(s): Louis A. Brown

For (title): Monitoring or Security Device and Methods

1. Type of Application

This application is for a continuation.

2. Benefit of Prior U.S. Application (35 U.S.C. §§ 119(e), 120, or 121)

The new application being transmitted claims the benefit of prior U.S. application. Enclosed are ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION CLAIMED.

3. Papers Enclosed

EXPRESS MAILING UNDER 37 C.F.R. § 1.10*

(Express Mail label number is *mandatory*.)(Express Mail certification is *optional*)

I hereby certify that this paper, along with any document referred to, is being deposited with the United States Postal Service on this date April 21, 2004 in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 as "Express Mail Post Office to Addressee" Mailing Label No. EV415641063.

Date: April 21, 2004Michelle E. Hujar

Type or print name of person mailing paper

Michelle E. Hujar
 Signature of person certifying

(EV415641063US)

WARNING: Certificate of mailing (first class) or facsimile transmission procedures of 37 C.F.R. 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.

***WARNING:** Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. 1.10(b).

"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

A. Required for filing date under 37 C.F.R. § 1.53(b) (Regular) or 37 C.F.R. § 1.153 (Design) Application

10 Page(s) of Specification
3 Page(s) of Claims
4 Sheet(s) of Drawing(s)--Formal

B. Other Papers Enclosed

1 Page(s) of abstract

4. **Declaration or Oath**

Not Enclosed.

Application is made by a person authorized under 37 C.F.R. § 1.41(c) on behalf of the above-named inventor.

5. **Inventorship Statement**

The inventorship for all the claims in this application is the same.

6. **Language**

English

7. **Assignment**

An assignment of the invention to Logical Services, Inc. will follow.

8. **Fee Calculation (37 C.F.R. § 1.16)**

Regular Application

CLAIMS AS FILED									
Basic Fee 37 C.F.R. § 1.16(a) \$770.00									
Number Filed		Number Extra		Rate					
Total									
Claims (37 C.F.R. § 1.16(c))	22	–	20	=	2	x	\$ 18.00	=	\$ 36.00
Independent									
Claims (37 C.F.R. § 1.16(b))	3	–	3	=	0	x	\$ 86.00	=	\$ 0.00
Multiple Dependent Claim(s), if any (37 C.F.R. § 1.16(d))							\$ 290.00	\$	0.00

Filing Fee Calculation

\$806.00

9. **Assertion of Small Entity Status**

Applicant hereby asserts status as a small entity under 37 C.F.R. § 1.27.

Status as a small entity was asserted in the prior application 09/839,181 filed on April 19, 2001 from which benefit is being claimed for this application under 35 U.S.C. § 119(e) and which status as a small entity is still proper and asserted for this application.

Filing Fee Calculation (50% of above Filing Fee Calculation)

\$403.00

10. Fee Payment Being Made at This Time

Not Enclosed

No filing fee is to be paid at this time.

11. Authorization to Charge Additional Fees

The Office is hereby authorized to charge account 15-0450 the following additional fees that may be required by this paper and during the entire pendency of this application.

~~37 C.F.R. § 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)~~

37 C.F.R. § 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)

12. Instructions as to Overpayment

Credit Account No. 15-0450.

13. Maintenance of Copendency of Prior Application

A. Extension of Time in Prior Application

A petition, fee and response extends the term in the pending **prior** application until April 21, 2004.

A copy of the petition filed in prior application is attached.

14. Relate Back

Amend the specification by inserting, before the first line following the title, the following sentence:

B. 35 U.S.C. Sections 120, 121 and 365(c)

"This application is a continuation of copending Application number 09/839,181 filed on April 19, 2001."

"The nonprovisional application designated above, namely application 09/839,181, filed April 19, 2001, claims the benefit of U.S. Provisional Application Nos.:

APPLICATION NO.

FILING DATE

60/198,417

04/19/2000"

15. Further Inventorship Statement Where Benefit of Prior Application(s) Claimed

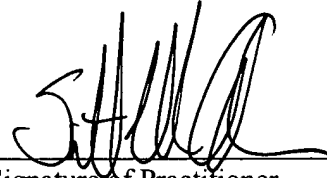
- (a) This application discloses and claims only subject matter disclosed in the prior application whose particulars are set out above and the inventor in this application is the same.

16. Abandonment of Prior Application

Please abandon the prior application at a time while the prior application is pending, or when the petition for extension of time or to revive in that application is granted, and when this application is granted a filing date, so as to make this application co pending with said prior application.

17. NOTIFICATION IN PARENT APPLICATION OF THIS FILING

A notification of the filing of this continuation is being filed in the parent application, from which this application claims priority under 35 U.S.C. § 120.

A handwritten signature in black ink, appearing to read 'S. Oldham', written over a horizontal line.

Signature of Practitioner

Reg. No.: 32,712
Tel. No.: 330-864-5550
Customer No.: 021324

Scott M. Oldham
Hahn Loeser + Parks LLP
Twin Oaks Estate
1225 W. Market Street
Akron, OH 44313

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Louis A. Brown

Application No.: 09/839,181

Group No.: 2613

Filed: April 19, 2001

Examiner: Bugg, G.

For: Monitoring or Security Device and Methods

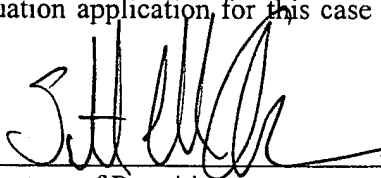
Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

NOTIFICATION OF FILING OF CONTINUING,
DIVISIONAL OR CONTINUED PROSECUTION APPLICATION

Notification is hereby being made of the filing of a continuation application, for this case on April 21, 2004.



Signature of Practitioner

Reg. No.: 32,712

Tel. No.: 330-864-5550

Customer No.: 021324

Scott M. Oldham

Hahn Loeser + Parks LLP

Twin Oaks Estate

1225 W. Market Street

Akron, OH 44313

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

*(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

X deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

X with sufficient postage as first class mail.

37 C.F.R. § 1.10*

as "Express Mail Post Office to Addressee"

Mailing Label No. _____ (mandatory)

TRANSMISSION

facsimile transmitted to the Patent and Trademark Office, (703) _____ - _____



Signature

Date: April 21, 2004

Michelle E. Hujar

(type or print name of person certifying)

* Only the date of filing (37 C.F.R. 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under 37 C.F.R. 1.8 continues to be taken into account in determining timeliness. See 37 C.F.R. 1.703(f). Consider "Express Mail Post Office to Addressee" (37 C.F.R. 1.10) or facsimile transmission (37 C.F.R. 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Louis A. Brown

Application No.: 09/839,181

Filed: April 19, 2001

For: Monitoring or Security Device and Methods

Group No.: 2613

Examiner: Bugg, G.

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

CONDITIONAL PETITION AND FEE FOR EXTENSION OF TIME
IN PARENT CASE THAT IS TO BE ABANDONED
WHEN FILING NEW APPLICATION CLAIMING ITS BENEFIT

1. This conditional petition is being filed along with the separately filed continuation application and provides for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

A copy of this petition is being filed with the papers constituting the filing of the separately filed application.

If any extension of time for the accompanying response is required, applicant requests that this be considered a petition therefor.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

*(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

X deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

X with sufficient postage as first class mail.

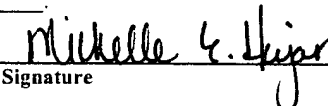
37 C.F.R. § 1.10*

as "Express Mail Post Office to Addressee"

Mailing Label No. _____ (mandatory)

TRANSMISSION

facsimile transmitted to the Patent and Trademark Office, (703) _____ - _____


Signature

Date: April 21, 2004

Michelle E. Hujar

(type or print name of person certifying)

* Only the date of filing (≥ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ≥ 1.8 continues to be taken into account in determining timeliness. See ≥ 1.703(f). Consider "Express Mail Post Office to Addressee" (≥ 1.10) or facsimile transmission (≥ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

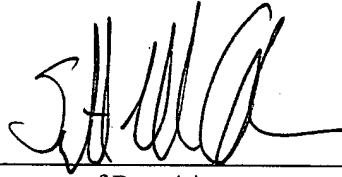
2. Status

This application is on behalf of a small entity.

The statement is already filed in parent application. This status is still proper and its benefit under 37 CFR 1.28(a) is hereby claimed.

3. Authorization for payment of fees

The Commissioner is authorized to charge any fees under 37 C.F.R. § 1.17 (a) to (d) that may be required by this Conditional Petition to Deposit Account No. 15-0450.



Signature of Practitioner

Reg. No.: 32,712
Tel. No.: 330-864-5550
Customer No.: 021324

Scott M. Oldham
Hahn Loeser + Parks LLP
Twin Oaks Estate
1225 W. Market Street
Akron, OH 44313